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**CANADA LABOUR CODE  
(PART II – OCCUPATIONAL HEALTH AND SAFETY)  
CANADA OCCUPATIONAL HEALTH AND SAFETY REGULATIONS  
(PART XX – Section 20.9(4))  
COMPETENT PERSON REPORT**

***UNRESOLVED COMPLAINT OF EMPLOYEE WORK PLACE VIOLENCE  
INCIDENT ON SEPTEMBER 11, 2012***

***AT***

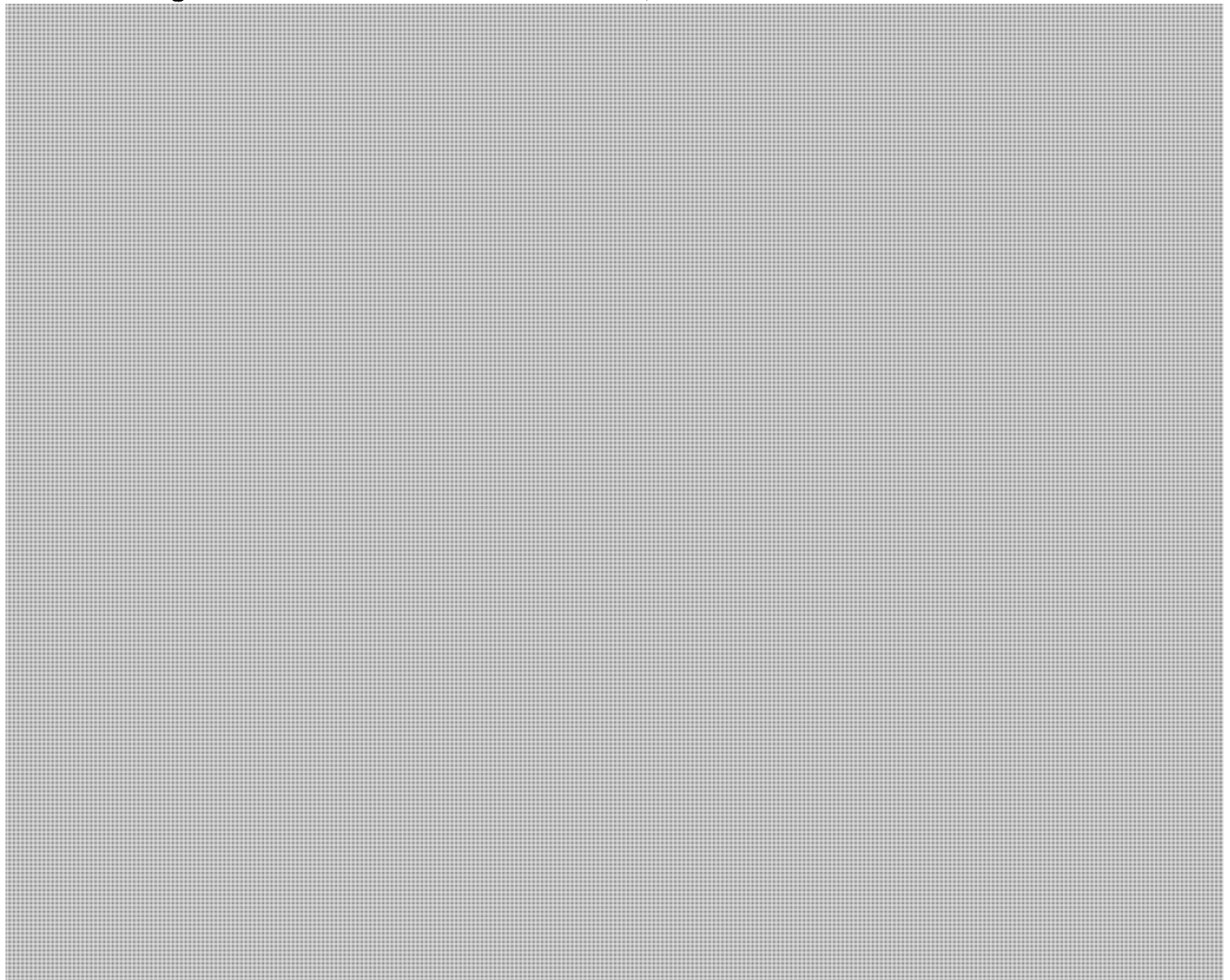
***GOVERNMENT OF CANADA  
FISHERIES AND OCEANS CANADA, PACIFIC REGION  
TREATY AND ABORIGINAL POLICY DIVISION  
TREATY NEGOTIATIONS UNIT  
12<sup>TH</sup> FLOOR, 200 – 402 BURRARD STREET, VANCOUVER, BC***

**James E. Dorsey, QC  
June 9, 2014**

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### 1. Allegation of Work Place Violence



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## 2. Competent Person Investigation

[16] With union concurrence, the employer appointed me in April 2014. I received the first disclosure of documents for the investigation on April 29, 2014. The documents do not include the consents referred to in subsection 20.9(3). The first interview was on May 15<sup>th</sup> and the last interview was on May 29<sup>th</sup>. [REDACTED]

[17] When an employee reports work place violence by a fellow employee there can be overlapping employer policies, legislation and processes that apply.

- If linked to a prohibited ground, actions or conduct might constitute discrimination under the *Canadian Human Rights Act*.
- Actions, conduct, threats and gestures can constitute harassment under an employer policy. The Government of Canada October 1, 2012 *Policy on Harassment Prevention and Resolution* defines "harassment" broadly as:

improper conduct by an individual, that is directed at and offensive to another individual in the workplace, including at any event or any location related to work, and that the individual knew or ought reasonably to have known would cause offence or harm. It comprises objectionable act(s), comment(s) or display(s) that demean, belittle, or cause personal humiliation or embarrassment, and any act of intimidation or threat. It also includes harassment within the meaning of the *Canadian Human Rights Act* (i.e. based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and pardoned conviction).

Harassment is normally a series of incidents but can be one severe incident which has a lasting impact on the individual. (Appendix A) (<http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=26041&section=text>)

- Actions and conduct towards an employee other than physical contact can be work place violence if they "can reasonably be expected to cause harm, injury or illness to that employee." Harm is a common characteristic of both the harassment policy and violence regulations.

This is work place

violence as defined in the *Regulations*:

In this Part, "work place violence" constitutes any action, conduct, threat or gesture of a person towards an employee in their work place that can reasonably be expected to cause harm, injury or illness to that employee. (s. 20.9(2))

This allegation and this work place are not excluded under section 20.9(6) of the *Regulations* from the employer requirement to appoint a competent person to investigate.

[19] Readers of this report must be acutely aware this investigation is not adjudicative fact-finding in an administrative or arbitral proceeding where persons make sworn statements under the threat of penalty for wilfully not being truthful. Statements made privately to an investigator are not subject to informed, professional cross-examination conducted under rules fashioned to challenge inconsistencies, provoke recall, expose undisclosed information or highlight error and confusion to achieve the most reliable recall and account. Consequently, where there are conflicting recalls and accounts, reliably judgments about credibility cannot be made. Probabilities most consistent with established facts, inconsistencies and avenues of further inquiry can be identified.

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## **7. Conclusions and Recommendations**

[107] Not every work place interaction or behaviour that offends an employee is work place violence. This investigation is not to determine if there was any work place harassment by any employee contrary to the employer's policy.



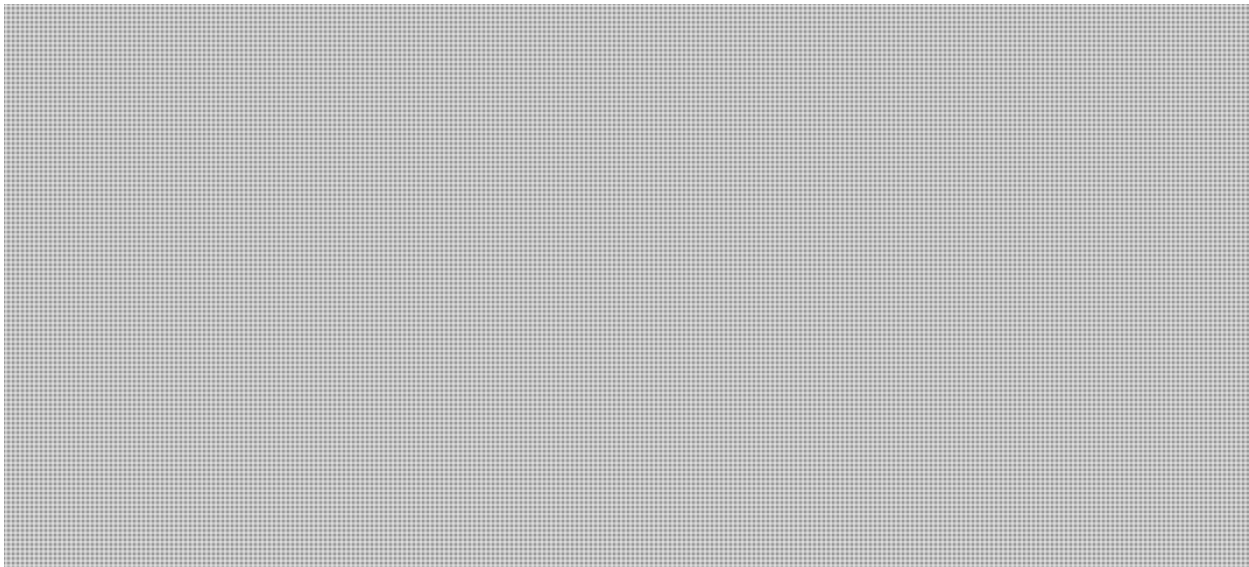


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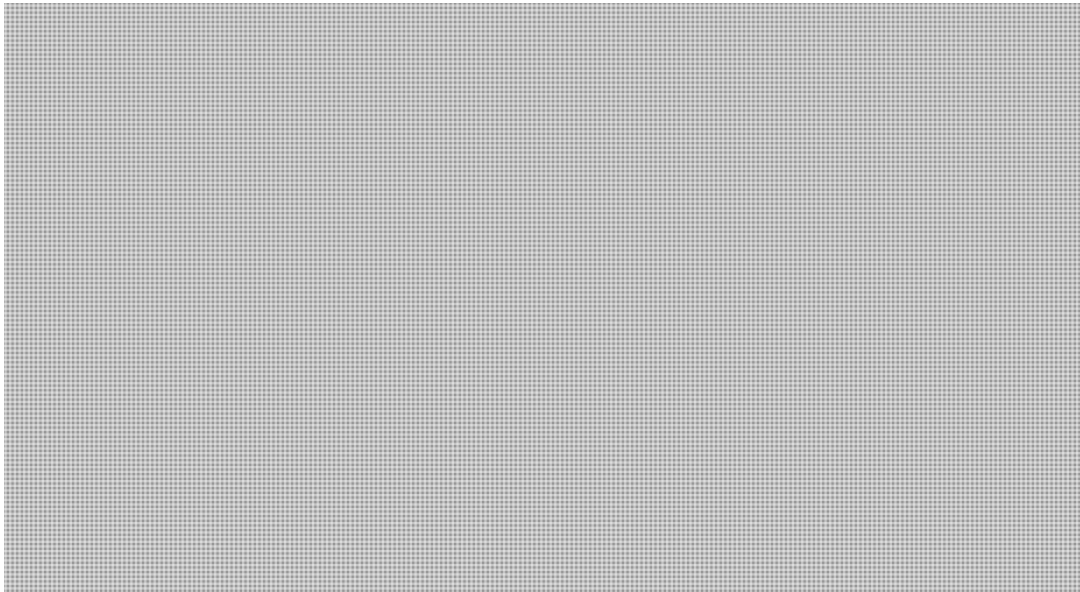


[119] I, therefore, conclude there was no act of work place violence as defined in *Canada Occupational Health and Safety Regulation* 20.9(2).

[120] I make the following recommendations:

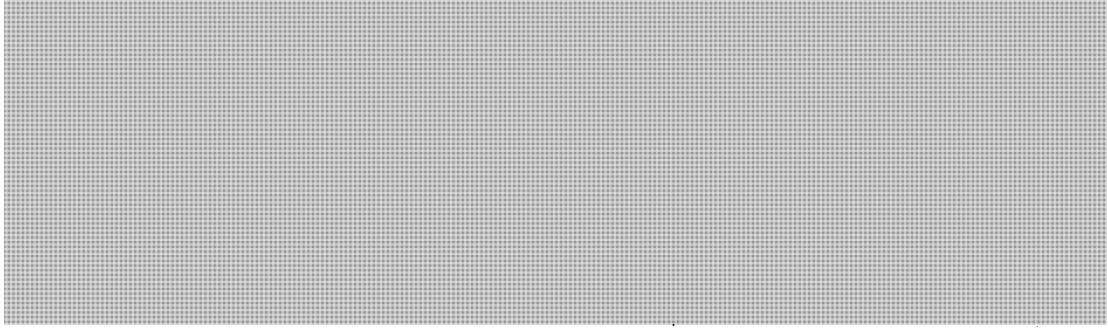
1. In addition to the requirements under *Canada Occupational Health and Safety Regulation* 20.9(5), the employer provide a copy of this report   

2. The employer not undertake any steps to assess the risk of violence in this work place or introduce any additional preventative measures.

3.



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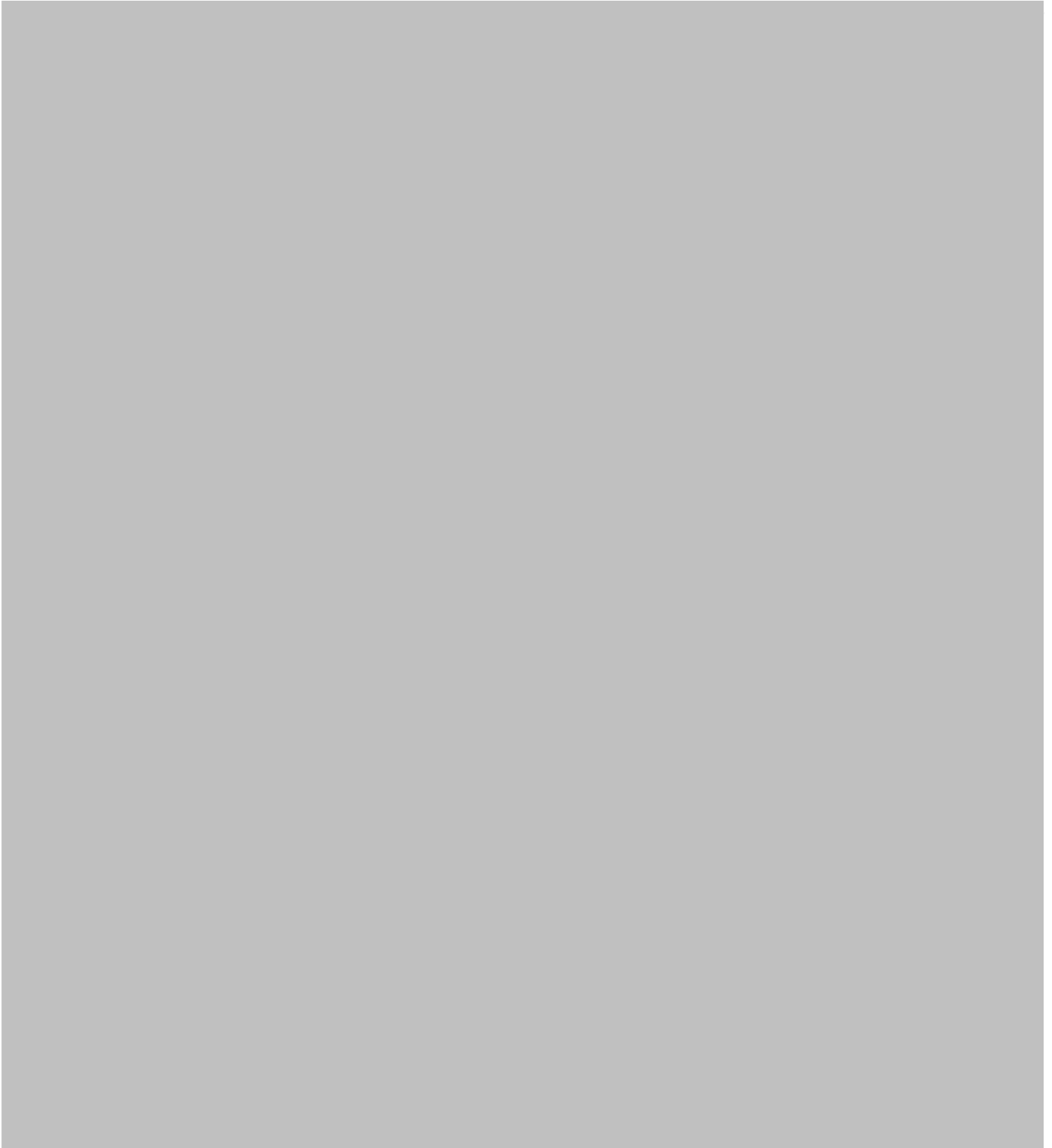
JUNE 9, 2014, NORTH VANCOUVER, BRITISH COLUMBIA

*James E. Dorsey*

James E. Dorsey

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## Appendix 1 – Synoptic Timeline



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## Appendix 2 – Competent Person Career Summary

Jim Dorsey is a full-time impartial, independent and neutral conflict resolution and dispute settlement professional. He serves principally as arbitrator, arbitrator-mediator, mediator, fact finder, investigator, neutral evaluator and facilitator.

- Arbitrator since 1977 (*Town of Hope - and - C.U.P.E., Local 411* (1977), 14 L.A.C. (2d) 176 ) in private and public sector rights and interest disputes
- Member, National Academy of Arbitrators
- Member, Arbitrators' Association of BC – Director (1983-85); Secretary (1985-1987); Vice-President (2004-05); President (2005-09); Past President (2010)
- Member, Registrar of Arbitrators under BC *Labour Relations Code*
- Member, Discipline and Credentials Hearing Panel and Review Board, Law Society of BC
- Referable Arbitrator status, British Columbia Arbitration and Mediation Institute
- Member, ADR Institute of Canada
- Domestic Panel, BC International Commercial Arbitration Centre
- Author of text, encyclopaedic volumes, articles, book reviews and popular self-learning publications on all aspects of employment law
- Reviewer, Metro Vancouver Labour Relations Function (2011)
- Class Size and Composition Arbitrator for BC school years 2006-10
- Appointed Queen's Counsel (2000)
- Chair, Saskatchewan Workers' Compensation Review Committee (2001 and 2006-07)

- Chair, Nova Scotia Workers' Compensation Review Committee ( 2001-02)
- Ministerial Representative Reviewing Saskatchewan Workers' Compensation Board (2000)

- Saskatchewan Health Labour Relations Reorganization Commissioner (1996-97)

- British Columbia Health Sector Labour Relations Commissioner (1995)
- Chair, Governors of the B. C. Workers' Compensation Board (Nov 1990 - Dec 1994); Interim President/CEO of the British Columbia WCB (Aug 1993 - Nov 1994)
- 125th Anniversary of the Confederation of Canada Medal (1992)
- Member, Vancouver Police Board (1989-91)

- Vice-Chair, Canada Labour Relations Board (1977-82)

- Bachelor of Laws, Dalhousie University, Halifax, N.S. (1973); Bachelor of Arts, St. Dunstan's University, Charlottetown, PEI (1969)

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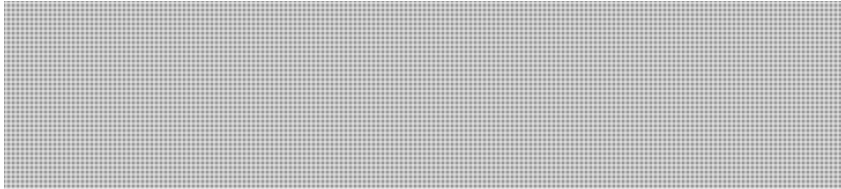


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## Violence Prevention in the Workplace – Island Diesel Way

Workplace issue which impacts health and safety, including mental health:

1. Specific verbal and visual conduct observed or reported:



2. Nature of Threats:

- Verbal threats



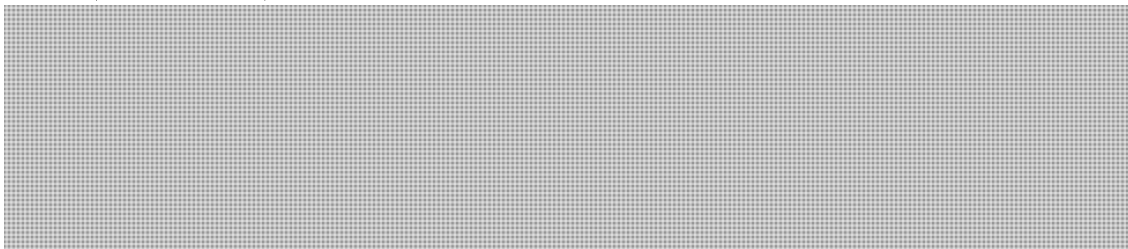
3. Summary of Prohibited conduct based on DFO policy relevant to this specific issue:

- Verbally directing threatening remarks at another person
- displaying or exhibiting extreme anger or hostility in body language

*Note that workplace violence based on DFO policy includes:*

- verbal abuse
- raising of voice in an aggressive manner
- threatening verbal remarks

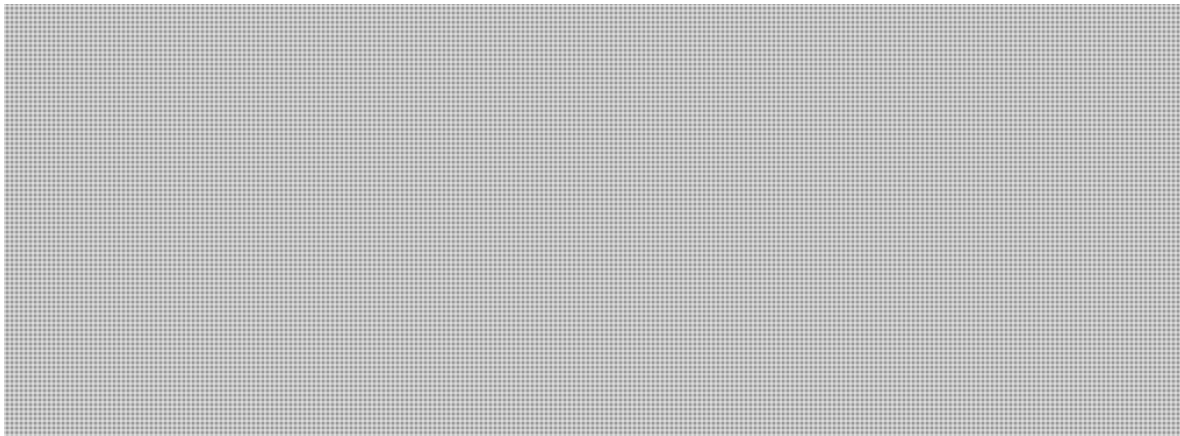
4. Contributing factors:



5. Management Observations:



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**6. Evaluation:**

- All observations indicate that this workplace violence is verbal in nature, that is, it is limited to making threats [REDACTED] rather than physical harm. This constitutes intimidation and bullying to colleagues and staff reports show that some employees are fearful of this individual and feel unsafe because of this behaviour.
- Actions need to be taken to: 1. Notify the employee about unacceptable behaviours and then take any steps necessary to respond to unacceptable behaviours; and 2. Support office employees psychological well-being should unacceptable behaviours occur again.

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## Appendix I

### Action plan:

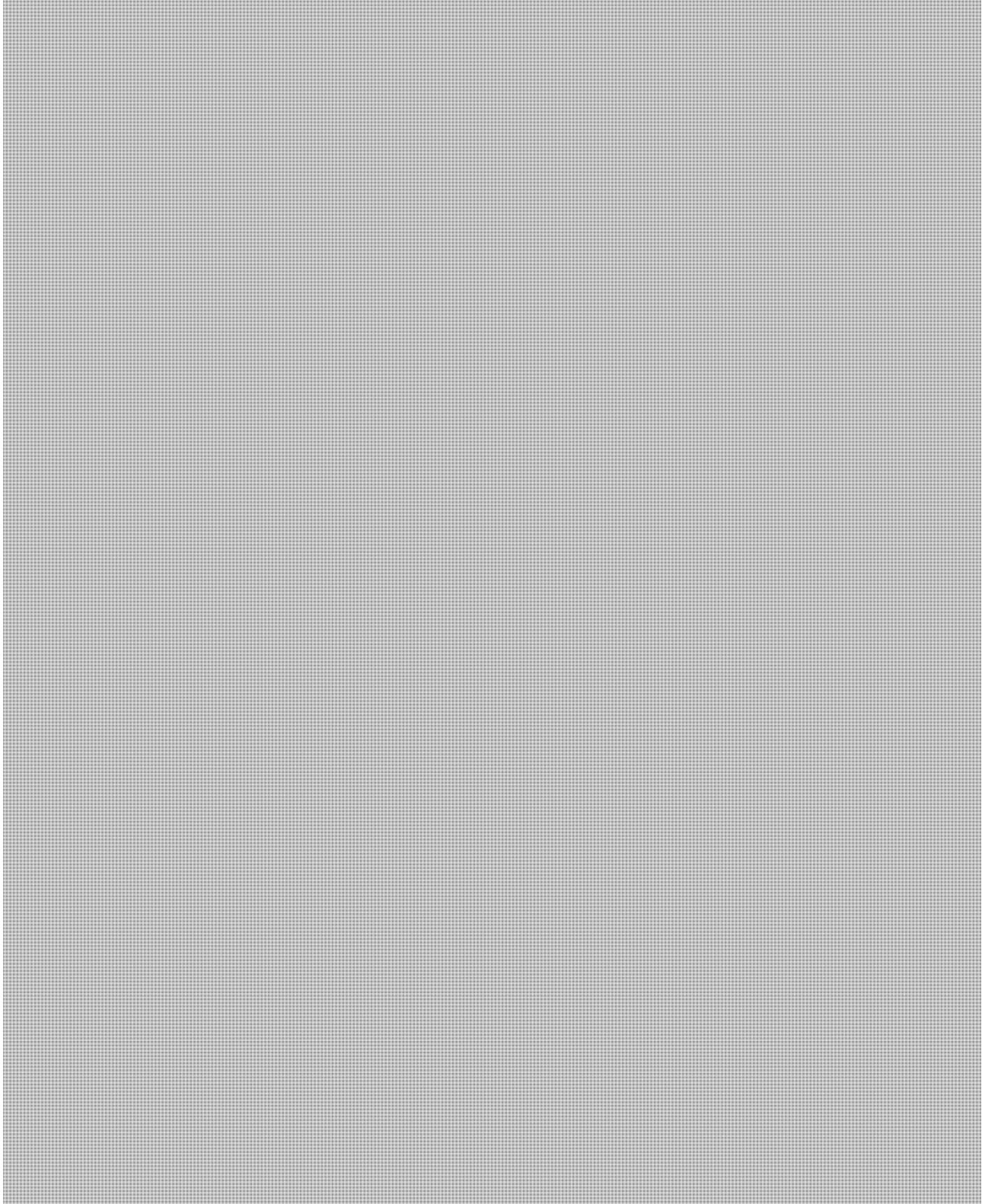
	Action to mitigate/reduce impact	Outcome/challenge	Responsibility	Timeline
1	All office staff take G417 Creating a Respectful Workplace	All Employees aware of expectations for acceptable behaviours		Completed Fall 2015
2	Conflict Resolution session with David Wong for IDW staff	One issue since change made Not all staff could attend session		Completed Fall 2015
3				Completed January 2016
4				Completed January 2016
5	Initiate VICR process	Provide ARM staff with tools to address unacceptable behavior and to support their own well-being when it occurs	VICR/March Klaver, Regional Manager	Completed December 2016
6	Meet with individual staff to outline what we heard; outline the evaluation done;	Staff may not feel enough has been done to mitigate situation	March Klaver, Regional Manager	January/February 2017

	and share the action plan			
7	Meet with employee(s) individually to re- enforce what is acceptable and what is unacceptable behaviour in the workplace and expectations (include incidents and consequences of future incidents)	Provide employee(s) with the opportunity to discuss violence policy with manager	March Klaver, Regional Manager	January /February 2017
8	Meeting with all staff to discuss Violence Prevention in the Workplace Policy	Provide office employees with tools to address unacceptable behaviour and to support their own well-being when it occurs	March Klaver, Regional Manager	February 2017
9	Management to monitor behaviour and take appropriate action, including disciplinary actions as appropriate	Ensure follow up is thorough when allegations are made	March Klaver, Regional Manager Labour Relations staff Regional Manager, Safety, Security and Emergency Services	As required

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## Appendix II

### Emails from staff regarding safety concerns



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## Annex B: Reporting Form for Workplace Violence Incidents

<b>Date incident reported:</b> March 2, 2017	<b>Incident reported by:</b> [REDACTED]	<b>Incident reported to:</b> [REDACTED]
<b>Victim</b>		
<b>Name:</b> [REDACTED]	<b>Phone number:</b> [REDACTED]	<b>Job title:</b> [REDACTED]
[REDACTED]		
<b>Alleged Offender(s)</b>		
<b>Name:</b> Anonymous	<b>Phone number:</b>	<b>Job title:</b>
<b>Branch/Division:</b>	<b>Work location:</b>	<b>Supervisor/manager:</b>
Note: If there is more than one offender, list the information on an additional sheet.		
<b>Witness(es)</b>		
<b>Name:</b>	<b>Phone number:</b>	<b>Work location:</b>
Note: If there is more than one witness, list the information on an additional sheet.		
<b>Details of Incident</b>		
<b>Date of incident:</b> March 2, 2017	<b>Time:</b> Around 2 pm (mail delivery time)	<b>Location:</b> 11 <sup>th</sup> Floor, 401 Burrard Street
<b>Type of incident:</b> <input type="checkbox"/> Physical <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Verbal threat <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Threatening behaviour <input checked="" type="checkbox"/> Written threat <input type="checkbox"/> Damage to personal property	<b>Description of what happened:</b> See attached

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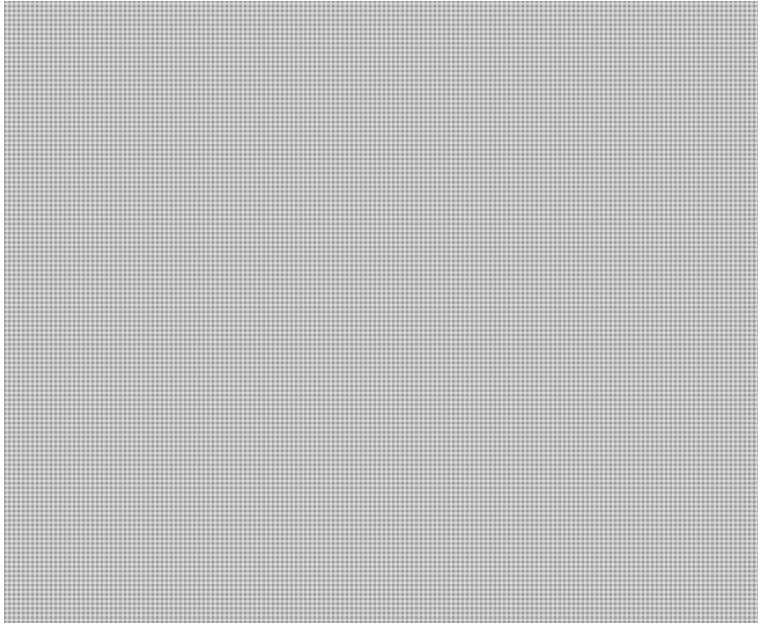
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<p><b>Outcome:</b></p> <p>* Police called</p> <p><input type="checkbox"/> Physical injury where:</p> <p style="padding-left: 40px;"><input type="checkbox"/> medical assistance was required; or,</p> <p style="padding-left: 40px;"><input type="checkbox"/> first aid treatment was required</p>	<p><input type="checkbox"/> Assailant apprehended</p> <p><input type="checkbox"/> Time lost</p> <p>* Emotional shock or distress</p> <p><input type="checkbox"/> Legal action initiated</p>
<p>If you checked physical injury and time lost, you must complete a Hazardous Occurrence Investigation Report with your supervisor and submit it to ESDC – Labour Program. Your regional Occupational Health and Safety Advisor are available to assist.</p>	
<p><b>Relationship between the employee and the offender:</b></p> <p><input type="checkbox"/> Co-worker   <input type="checkbox"/> Family member   <input type="checkbox"/> Client   <input type="checkbox"/> Member of public</p> <p><input type="checkbox"/> Other (specify)</p>	
<p><b>Relevant events which preceded the incident:</b></p> <div style="background-color: #cccccc; height: 150px;"></div>	
<p><b>Possible contributing factors:</b></p> <div style="background-color: #cccccc; height: 100px;"></div>	
<p><b>Remedial actions and preventive measures to be implemented by management:</b></p> <div style="background-color: #cccccc; height: 40px;"></div>	
<p><b>Is the matter satisfactorily resolved:</b></p> <p><input type="checkbox"/> Yes                      *                      No</p> <p>If yes, send a copy of this form to Regional Manager, Safety, Security and Emergency Services and implement remedial actions and preventive measures.</p> <p>If no, an investigation by a competent person will be required. Contact Regional Manager, Safety, Security &amp; Emergency Services.</p>	
<p><b>Signatures</b></p>	



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**MAR 06 2017**

Date

**MAR 06 2017**

Date

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Date

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Date

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**PROTECTED B**

## **Canada OHS Regulation, Part XX**

### **Investigation Report**

Conducted by: Rich Bellamy

Prepared by: Rich Bellamy

**Date: March 31, 2017**

#### **CAVEAT**

This document was produced by the Safety, Security and Emergency Services Directorate and contains sensitive information. Access to this document is on a strict need-to-know principle. It shall not be copied nor reproduced in any manner and shall not be disseminated, in whole or in part, outside Fisheries and Oceans Canada without prior approval from the Author. Retransmission of this document via electronic means shall only be conducted using approved security equipment.

The OHS committee is to review this report and assist management in monitoring the recommendations. This report is not to be posted in the workplace, shared or discussed outside of the OHS committee forum.

**File: DFO-MPO-  
Prevention of Violence in the Workplace Investigation**

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**PROTECTED B**

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<b>Questions Asked .....</b>	<b>Page 3</b>
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<b>Actions taken to date by Management: .....</b>	<b>Page 4</b>
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## ALLEGATIONS

Rich Bellamy, Regional OHS Advisor Pacific Region was informed of potential incidents of violence in the workplace, at JTFP/MARPAC HQ – MSOC, or Marine Security Operations Centre, Canadian Coast Guard.

## INVESTIGATION PROCESS

The goal of this investigation is to determine compliance with the *Canada Labour Code Part II*, and Canada OHS Regulations (COHS), Part XX, *Prevention of Violence in the Workplace* which prescribes requirements to resolve, and if required, to investigate reports of alleged workplace violence; and to determine all relevant facts concerning the alleged incidents of violence in the workplace. The investigation, under Canada OHS Regulations, Part 20, does not go beyond the scope of the Canada Labour Code, Part II, with the intended purpose to prevent a recurrence of workplace violence.

The tools and techniques used by the investigator included the following:

- Fact finding meeting(s)/interviews;
- Review of investigative material;
- Validating information with managers and other individuals, as needed;

## INVESTIGATION QUESTIONS

A series of questions were asked of employees and Managers/Supervisors who were interviewed on December 1-2, 2016 and March 27, 2017. The following questions were asked:

Questions asked of employees and management:

1. *Are you familiar with the definition of violence in the workplace and/or the DFO Policy on the Prevention of Violence in the Workplace?*
2. *Are you familiar with the CLC, Part II and the associated Canada OHS Regulations, and most particularly Canada Occupational Health and Safety Regulations, Part XX/Maritime Occupational Health and Safety Regulations, Part 5, Division 2 - Prevention of Violence in the Workplace?*
3. *Have you received training in the prevention of violence in the workplace regulations?*
4. *Have you ever received any written work procedures of what steps to take in the event of an incident of violence in the workplace?*
5. *Have you ever experienced an incident of violence where you felt threatened, intimidated, bullied, abused, threatened or afraid for your personal safety?*
6. *If you answered yes to question 5, please explain the incident(s).*

7. *Have you ever witnessed an incident of violence in the workplace to another co-worker?*
8. *Have you reported to your manager a concern regarding an incident of violence or your personal safety at work?*

Questions asked of managers/supervisors only:

1. *Have you conducted workplace assessments and provided controls, up to and including safe work procedures, for an incident of violence in the workplace to your employees?*
2. *If you have conducted a workplace assessment, did you review the controls that are in place and update them in accordance to the incidents that have occurred?*
3. *Are emergency and non-emergency procedures in place in the event an incident of violence occurs in the workplace?*
4. *In any meetings with the employee accused of being violent in the workplace, was the employee informed that their behaviour could be interpreted as violence in the workplace?*
5. *When informed by employees of being afraid for their personal safety by another employee, did you attempt to resolve the matter with the employees as soon as possible?*
6. *Have you referred employees who have experienced an incident of violence in the workplace to the employee assistance program?*

#### **ANALYSIS OF THE FACTS COLLECTED -**

1. Based on the information provided by the interviewees, violence in the workplace is confirmed based on the definitions of what constitutes violence in the workplace (refer to Appendix A):
  - a. Behaviours of concern
  - b. Bullying
  - c. Prohibited conduct
  - d. Psychological violence
  - e. Teasing
  - f. Threatening Behaviour
  - g. Verbal Abuse

#### **ACTIONS TAKEN TO DATE BY MANAGEMENT:**

Commencing in July 2013, management took steps which included changing shifts and discipline in an attempt to resolve the incidents of violence. The final step taken by Management in October 2016 was to remove the alleged offender from the workplace

## **RECOMMENDATIONS**

1. All employees at the workplace, who have experienced an incident of violence, shall be provided with assistance (contact information of the Employee Assistance Program).
2. Managers and supervisors of the workplace conduct an assessment, evaluating the potential for violence in the workplace; and ensure that procedures and instruction are put in place for employees to follow in the event of an incident of violence, both for an incident that would be deemed an emergency and for incidents that would not be deemed an emergency.
3. Managers and supervisors of the workplace shall ensure that employees of the workplace are educated in all procedures/instructions/rules with regard to the prevention of violence in the workplace.
4. Managers and supervisors of the workplace shall take immediate action when an incident of violence is reported, and shall attempt to resolve the matter with the employee(s) as soon as possible.
5. All managers and supervisors of the workplace attend Occupational Health and Safety training for supervisors and managers, or the refresher course. The training should emphasize Regulation 20 and DFO Prevention of Violence in the Workplace Program (Chapter 2.3 – DFO OHS Manual). The training should also emphasize Task Hazard Analysis (THA) training, ensuring the prevention of violence is included in conducting THA assessment, and controls are reviewed, assessed and developed.
6. All employees at the workplace receive OHS Employee Awareness training, with an emphasis on the prevention of violence in the workplace, their roles and responsibilities with regard to the prevention of violence in the workplace and the definitions of what constitutes violence.
7. A copy of this report shall be maintained by senior management and management at the workplace; and shall be provided to the OHS Committee.
8. The OHS Committee and management at the workplace shall monitor the recommendations of this report. The OHS Committee members shall not share, post or discuss this report outside the forum of the OHS Committee.

## **LIST OF APPENDIXES**

### **Appendix A: Definitions of Violence**

## Appendix A: Definitions of Violence

Workplace Violence is any action, conduct, threat or gesture towards an employee, in their workplace (or as a result of the workplace) that can reasonably be expected to cause harm, injury or illness to that employee. Workplace is defined any place where an employee is engaged in work for the employee's employer.

The definitions of Harassment and Violence in the Workplace share commonalities; however, they differ in certain aspects:

- **Violence**: Any action, conduct, threat or gesture of a person towards an employee, in their workplace, that can reasonably be expected to cause harm, injury or illness to the employee. The definition of violence is intended to address a person's fear of being harmed, injured or made ill (workplace safety) – imminent danger, or cause harm in the form of an injury or illness.
- **Harassment**: Improper conduct by an individual that is directed at and offensive (demean, embarrass, humiliate, annoy, alarm or verbally abuse) to another individual in the workplace, and that the individual knew or ought reasonably to have known, would cause offence or harm. The definition of harassment is intended to address a person being offended, humiliated or embarrassed (workplace civility and respect).

(Source: Treasury Board Secretariat Violence and Harassment in the Workplace: Commonalities and differences presentation)

Definitions that fall under the Prevention of Violence Regulation XX:

**Assault**: An attack on someone causing bodily or emotional pain and/or distress. This may include a weapon, but also includes hitting, punching, kicking, pushing, etc.

**Behaviours of concern**: behaviours that could be perceived as threatening, without a verbal threat actually made (drawing disturbing pictures or making vague statements).

**Bullying**: Includes the deliberate or habitual intimidation, cruelty or prosecution towards others.

Examples include:

- Spreading malicious rumours, gossip or innuendo;
- Undermining or deliberately impeding a person's work;
- Constantly changing work guidelines or establishing impossible deadlines or requirements that could reasonably be expected to set up the individual to fail;
- Intimidating, yelling or using profanity;
- Criticizing a person persistently or constantly;
- Excluding or isolating someone socially or constantly ignoring them professionally;
- Belittling a person's opinions;
- Unwarranted (or undeserved) punishment;



- Blocking applications for training, leave or promotion.

**Direct Threat:** Clear and explicit communication which distinctly indicates that the potential offender intends to do harm, i.e. I am going to make you pay for what you did to me.

**Physical Violation:** An act or threat of aggression with the intent to cause physical injury and/or death, often accompanied by a desire to control and manipulate a situation or a person(s).

**Prohibited conduct:** Prohibited conduct includes, but is not limited to:

- Intentionally causing physical injury to another person;
- Intentionally causing damage to the property of another.
- Threatening remarks or actions directed at another person (written or oral);
- Bullying or intention harmful teasing (written or oral);
- Displaying or exhibiting extreme anger or hostility.

**Psychological violence:** Also referred to as emotional or mental abuse, is a form of abuse characterized by a person, subjecting or exposing another to behaviour that may result in psychological trauma, including anxiety, chronic depression or post-traumatic stress disorder.

**Teasing:** The act of harassing someone playfully or maliciously (especially by ridicule); provoking someone with persistent annoyances or through playful vexation.

**Threat:** Any oral or written expression or gesture that can be interpreted as conveying intent to cause physical harm.

**Threatening Behaviour:** Any behaviour that is perceived by another as a threat or as intimidation (e.g. shaking fists, destroying property or throwing objects).

**Veiled Threats:** Threats that involve body language or behaviour that leaves little doubt in the mind of the victim that the perpetrator intends harm (e.g. do you think anyone would care if someone beat up the boss?)

**Verbal Abuse:** May include swearing, insults or condescending language.

STATUS REPORT ON THE IMPLEMENTATION OF THE MANAGEMENT ACTION PLAN

REPORT RECOMMENDATIONS (for Work Unit)		MANAGEMENT ACTION PLAN	OPI AND DUE DATES	STATUS
1)	Review the existing task hazard analysis, re-evaluate the potential for violence in the workplace; and ensure that procedures and instructions are put in place for employees to follow in the event of an incident of violence, both for an incident that would be deemed an emergency and non-emergency	Update RDGO Employee THAs and incorporate procedures and instructions in the event of an incident of Violence in the Workplace	Bonnie Antcliffe, RDGO Due Date: ASAP	
2)	Review with employees of the workplace all procedures / instructions / rules with regard to the prevention of violence in the workplace.	RDG and ARDG to hold a meeting with RDGO employees to discuss the prevention of violence in the workplace	Bonnie Antcliffe, RDG Due Date: ASAP	
3)	Ensure the lock down drill is exercised at least once a year from the building emergency response plan.	Upon receipt of this OSH Module, share with RDGO employees	Bonnie Antcliffe, RDG Due Date: TBD	Waiting for S&S to complete Module
4)	Managers and supervisors should re-familiarize themselves with the first level response when an incident of violence is reported, and shall attempt to resolve the matter with the employee(s) as soon as possible.	Direct Managers to review on-line information and ensure managers take the required training.	Bonnie Antcliffe, RDG Due Date: TBD	See Recommendation #5
5)	All employees with supervisory responsibilities of the workplace attend Occupational Health and Safety training for supervisors and managers. The training should emphasize Regulation XX and the DFO Prevention of Violence in the Workplace Program (Chapter 2.3 - DFO OSH Manual).	Ensure all Managers within the RDG's Office attend the OSH training	Bonnie Antcliffe, RDGO Due Date: TBD	Training to be delivered by S&S OSH Advisor S&S is finalizing Training Modules and putting together a plan to deliver the training throughout the region
6)	All employees at the workplace receive OSH Employee Awareness training, with an emphasis on the prevention of violence in the workplace, their roles and responsibilities in the prevention of violence in the workplace and the definitions of what constitutes violence.	Email all employees within the RDGO and direct them to the mandatory Employee Awareness training on-line	Bonnie Antcliffe, RDGO Due Date: ASAP	
7)	A copy of this report shall be maintained by senior management and management at the workplace; and shall be provided to the OSH Committee.	Provide copy of report to OSH Management Chair (Lisa Kerr)	Maureen Braam ASAP	Completed: Report provided to Lisa Kerr May 10, 2017 OSH Committee members were not provided the full report (due to the sensitivity); they were however, provided an overview of Recommendations
8)	The OSH Committee and management at the workplace shall monitor the recommendations of this report. The OSH Committee members shall not share, post or discuss this report outside the forum of the OSH Committee.	Mgmt. to provide updates to the OSH Management Chair	Bonnie Antcliffe, RDGO As Required	OSH Mgmt. briefed OSH Committee (discuss share report) and will provide updates appropriate

**Braam, Maureen**

---

**From:** Braam, Maureen  
**Sent:** May-10-17 4:23 PM  
**To:** Kerr, Lisa  
**Cc:** Antcliffe, Bonnie  
**Subject:** ACTION - OSH - Violence in the Workplace Report and Recommendations  
**Attachments:** REPORT-DFO-MPO 2017-03-897.pdf

Hi Lisa,

Sarah has just advised me that you are the new 401 OSH Management Chair. Please see the email below to Sarah on the attached Violence in the Workplace Report and Recommendations.

Note – Bonnie would like to be invited to the OSH meeting where recommendations from this report are discussed.

Thanks, Maureen

Maureen Braam  
Senior Advisor to the Associate RDG  
Suite 1120 – 401 Burrard Street  
Vancouver, BC V6C 3S4  
Pacific Region  
Phone: 604-666-7980  
Cell: 604-313-6458

[Maureen.braam@dfo-mpo.gc.ca](mailto:Maureen.braam@dfo-mpo.gc.ca)

---

**From:** Braam, Maureen  
**Sent:** May-10-17 2:34 PM  
**To:** Murdoch, Sarah  
**Cc:** Antcliffe, Bonnie  
**Subject:** ACTION - OSH - Violence in the Workplace Report and Recommendations

Hi Sarah,

Please find attached an Violence in the Workplace Report and Recommendations.

As per Recommendations #7 and #8 I am providing this to you as the OSH Chair. Bonnie has requested to be invited to the next OSH meeting where discussions on the recommendations of this report will be discussed.

If you require any further information or have any questions, please do not hesitate to contact myself or Bonnie.

Thanks, Maureen

Maureen Braam  
Senior Advisor to the Associate RDG  
Suite 1120 – 401 Burrard Street  
Vancouver, BC V6C 3S4  
Pacific Region

Phone: 604-666-7980

Cell: 604-313-6458

[Maureen.braam@dfo-mpo.gc.ca](mailto:Maureen.braam@dfo-mpo.gc.ca)



Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

PROTECTED B

## Canada OHS Regulation, Part XX

### Investigation Report

Conducted by: Dawn Timmington, Regional Occupational Health and Safety Advisor

Prepared by: Dawn Timmington, Regional Occupational Health and Safety Advisor

Date: April 26<sup>th</sup>, 2017

#### CAVEAT

This document was produced by the Safety, Security and Emergency Services Directorate and contains sensitive information. Access to this document is on a strict need-to-know principle. It shall not be copied nor reproduced in any manner and shall not be disseminated, in whole or in part, outside Fisheries and Oceans Canada without prior approval from the Author. Retransmission of this document via electronic means shall only be conducted using approved security equipment.

The OHS committee is to review this report and assist management in monitoring the recommendations. This report is not to be posted in the workplace, shared or discussed outside of the OHS committee forum.

Canada

**File: DFO-MPO-2017-03-897**

**Prevention of Violence in the Workplace Investigation**

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File: DFO-MPO-2017-03-897

## Prevention of Violence in the Workplace Investigation

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### ALLEGATIONS

On March 2<sup>nd</sup>, 2017 Fisheries and Oceans Canada management was informed of a potential incident of violence in the workplace, at the Pacific Regional Headquarters, 401 Burrard Street, Vancouver. An employee received an anonymous letter from an outside source that contained threatening language.

### INVESTIGATION PROCESS

The goal of this investigation is to determine compliance with the *Canada Labour Code Part II*, Canada OHS Regulations, Part XX, Prevention of Violence in the Workplace which prescribes requirements to resolve, and if required, to investigate reports of alleged workplace violence; and to determine all relevant facts concerning the alleged incidents of violence in the workplace. The investigation, under Canada OHS Regulations, Part XX, does not go beyond the scope of the *Canada Labour Code, Part II*, with the intended purpose to prevent a recurrence of workplace violence.

The tools and techniques used by the investigator included the following:

- Fact finding interviews
- Review of investigative material
- Validating information with managers and other individuals as needed

### INVESTIGATION QUESTIONS

A series of questions were asked during the interview of three employees of the Pacific Region Headquarters at 401 Burrard Street, Vancouver on April 11<sup>th</sup> and 12<sup>th</sup>, 2017.

The following questions were asked to the employee and supervisor:

1. *Are you familiar with the definition of violence in the workplace and/or the DFO Policy on the Prevention of Violence in the Workplace?*
2. *Are you familiar with the CLC, Part II and the associated Canada OHS Regulations, and most particularly Canada Occupational Health and Safety Regulations, Part XX - Prevention of Violence in the Workplace?*
3. *Have you received training in the prevention of violence in the workplace regulations?*
4. *Have you ever received any written work procedures of what steps to take in the event of an incident of violence in the workplace?*
5. *Have you ever experienced an incident of violence where you felt threatened, intimidated, bullied, abused, threatened or afraid for your personal safety?*
6. *If you answered yes to question 5, please explain the incident(s).*
7. *Have you ever witnessed an incident of violence in the workplace to another co-worker?*

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8. *Have you reported to your manager a concern regarding an incident of violence or your personal safety at work?*

The following questions were asked to the supervisor and manager:

1. *Have you conducted task hazard analysis and provided controls, up to and including safe work procedures, for an incident of violence in the workplace to your employees?*
2. *If you have conducted a task hazard analysis, did you review the controls that are in place and update them in accordance to the incidents that have occurred?*
3. *Are emergency and non-emergency procedures in place in the event an incident of violence occurs in the workplace?*
4. *In any meetings with the employee accused of being violent in the workplace, was the employee informed that their behaviour could be interpreted as violence in the workplace?*
5. *When informed by employees of being afraid for their personal safety by another employee, did you attempt to resolve the matter with the employees as soon as possible?*
6. *Have you referred employees who have experienced an incident of violence in the workplace to the employee assistance program?*

**ANALYSIS OF THE FACTS**

The first set of questions was presented to the employee and the supervisor.

The interviewees were generally aware of the *CLC Pt II* but were not aware of Canada OHS Regulation XX, Prevention of Violence in the Workplace prior to the incident. It was only after the incident that the interviewees became aware of the Regulation XX and the DFO Policy on the Prevention of Violence in the Workplace through various sources and research. The interviewees were familiar with the common violence term but did not have knowledge of the OHS definition of violence from the regulation. The interviewees do not recall receiving Regulation XX training. The investigation revealed that the interviewees had not attended a departmental occupational health and safety training session in the last ten years.

Interviewees indicated that they were unaware of any task hazard analysis conducted for the prevention of violence at their workplace. They were not aware of any specific procedures for employees to follow for an incident of violence.

The interviewees were provided the definition of work place violence from the Prevention of Violence in the Workplace regulation and were asked whether or not they had experienced an incident of violence or witnessed an incident of violence in the workplace. Only one interviewee revealed they had personally experienced some form of violence in the workplace and had witnessed an incident of workplace violence involving co-workers.



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One interviewee has reported incidents of violence to management in the past and was not aware of any actions taken by management at the time to address the reports.

1. Based on the information provided by the interviewees, violence in the workplace is confirmed in accordance with the definition of what constitutes violence in the workplace (refer to Appendix A for definition).
2. The interviews conducted suggested that management and employees do not completely understand their roles and responsibilities with regard to occupational health and safety, and more specifically with regard to the Canada OHS Regulation, Part XX.

**ACTIONS TAKEN TO DATE BY MANAGEMENT**

The second set of questions was presented to the Supervisor and Manager.

1. Management has completed a task hazard analysis that included the assessment of the potential of violence in the workplace. The Safe Work Procedures include instructions in responding to a potential incident of violence in the workplace for emergency and non-emergency situations.
2. Management reviewed the Safe Work Procedures with employees and employees signed off acknowledging the review of the safe work procedures and the hazards associated with each task.
3. Building emergency procedures are reviewed on a regular basis by management and the procedures include evacuation, shelter in place and lock down. A full building evacuation and shelter in place drills take place once a year led by regional Safety, Security and Emergency Services. There are adjoining floor drills (three floors at a time) that are exercised throughout the year.
4. The employee assistance program has been offered to the employee and the local authorities were contacted to assess the situation for the safety and security of the employee.
5. Management has taken steps to start a workplace assessment.

**RECOMMENDATIONS - WORK UNIT**

The following recommendations are based on the fact finding and analysis of the information received from the interviews and evidence gathering process.

1. Review the existing task hazard analysis, re-evaluate the potential for violence in the workplace; and ensure that procedures and instructions are put in place for employees to follow in the event of an incident of violence, both for an incident that would be deemed an emergency and non-emergency.
2. Review with employees of the workplace all procedures/instructions/rules with regard to the prevention of violence in the workplace.
3. Ensure the lock down drill is exercised at least once a year from the building emergency response plan.
4. Managers and supervisors should re-familiarize themselves with the first level response when an incident of violence is reported, and shall attempt to resolve the matter with the employee(s) as soon as possible.

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**Prevention of Violence in the Workplace Investigation**

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5. All employees with supervisory responsibilities of the workplace attend Occupational Health and Safety training for supervisors and managers. The training should emphasize Regulation XX and the DFO Prevention of Violence in the Workplace Program (Chapter 2.3 – DFO OHS Manual).
6. All employees at the workplace receive OHS Employee Awareness training, with an emphasis on the prevention of violence in the workplace, their roles and responsibilities in the prevention of violence in the workplace and the definitions of what constitutes violence.
7. A copy of this report shall be maintained by senior management and management at the workplace; and shall be provided to the OHS Committee.
8. The OHS Committee and management at the workplace shall monitor the recommendations of this report. The OHS Committee members shall not share, post or discuss this report outside the forum of the OHS Committee.

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**Prevention of Violence in the Workplace Investigation**

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**APPENDIX A**

**Definition of Work Place Violence**

The Canada OHS regulation XX constitutes "work place violence" as any action, conduct, threat or gesture of a person towards an employee in their workplace that can reasonably be expected to cause harm, injury or illness to that employee.

s.19(1)

**MacNeill, Jill**

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**From:** Lawrence, DJ  
**Sent:** Tuesday, December 19, 2017 4:00 PM  
**To:** Masson, Colin  
**Subject:** FW: Violence report  
**Attachments:** 2017 North Coast Violent Incident.docx

Hi Colin,

I'm sure you are familiar with the attached incident. [REDACTED]  
[REDACTED] I'm heading the review of the issue from an SSES perspective to ensure that any gaps are identified and corrected, and to see what support we can provide to the sites and managers dealing with such issues. From talking to Mike, it seems like the major obstacle to our establishing a policy is identifying ownership of the site and our ability to compel others to get clearances if we don't own or otherwise control the site. I also want to discuss a few potential approaches to avoid having to deal with such a situation in the future.

Do you have some time this week or over the holidays when you are working and have some time available for me to give you a call?

Thanks very much for your consideration.

DJ

DJ Lawrence  
A/Project Manager  
Pacific Region Safety Security & Emergency Services Fisheries and Oceans Canada  
200 – 401 Burrard Street Vancouver, BC V6C 3S4 Telephone: (604) 666-0401  
Cell: (604) 999-8768 PIN: [REDACTED] Facsimile: (604) 666-4871 [Dj.lawrence@dfo-mpo.gc.ca](mailto:Dj.lawrence@dfo-mpo.gc.ca)  
SSES Satellite Phone: 403-987-3500

Employee's Security Reference Guide  
[http://intra.dfo-mpo.gc.ca/ss/documents/corp/manual/EmpSecRefGuide\\_27012009.pdf](http://intra.dfo-mpo.gc.ca/ss/documents/corp/manual/EmpSecRefGuide_27012009.pdf)

Manager's Security Guide  
[http://intra.dfo-mpo.gc.ca/ss/documents/corp/manual/Managers\\_Sec\\_Guide\\_FINAL.pdf](http://intra.dfo-mpo.gc.ca/ss/documents/corp/manual/Managers_Sec_Guide_FINAL.pdf)

The Access to Information Act gives Canadians, and other individuals and corporations present in Canada, the right to apply for and obtain copies of federal government records. As such, please note that the confidentiality of an email exchange cannot be guaranteed. If you would like to discuss something of a confidential nature, please call me at the number listed above.

**Page 101**

**is withheld pursuant to section  
est retenue en vertu de l'article**

**19(1)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

Violent Incident

Report by [redacted]

Comments from H&S: B. Clements, added below on September 01/17,

Comments from Mike Jakubowski [redacted] added below Dec 8/17.

Employee involved: [redacted]

Supervisor: Mike Jakubowski

Aggressor: [redacted]  
[redacted]

Date of incident: Unknown to me

Details of what I learned through others:

Date	Source	Details
[redacted]		

**Pages 103 to / à 107  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**19(1)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

s.19(1)

**MacNeill, Jill**

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**From:** Groves, Steven  
**Sent:** Monday, January 15, 2018 10:00 AM  
**To:** MacNeill, Jill; Jakubowski, Mike  
**Subject:** [REDACTED]  
**Attachments:** attachment 1.docx; 2017 Meziadin Fishway Health and Safety Plan and Camp Rules  
Draft #1.0.docx; [REDACTED] Violence Incidence at Meziadin Camp  
HOIR.docx

Here are the other attachments.

Steve  
([steven.groves@dfo-mpo.gc.ca](mailto:steven.groves@dfo-mpo.gc.ca))  
(250) 627-3455

**From:** Groves, Steven  
**Sent:** January-15-18 9:55 AM  
**To:** MacNeill, Jill; Jakubowski, Mike  
**Subject:** [REDACTED]

There was a delay on processing this. See below. I have added my name. Please review and add information if needed.

Steve  
([Steven.Groves@dfo-mpo.gc.ca](mailto:Steven.Groves@dfo-mpo.gc.ca))  
(250) 627-3455

**From:** Clements, Brian  
**Sent:** December-12-17 12:33 PM  
**To:** Chopra, Suneela; Groves, Steven  
**Cc:** Lawrence, DJ  
**Subject:** [REDACTED]

Ok, good, standing by for the next chapter... When we receive the HOIR back with signatures, Yasmin & I will route it through the normal process and send it on to the AD and then the RDG. That will take care of the HOIR but the cure for the security issues which they have raised will still need to be taken care of.

Thanks,

Brian

**From:** Chopra, Suneela  
**Sent:** December-12-17 12:13 PM  
**To:** Groves, Steven  
**Cc:** Clements, Brian; Lawrence, DJ  
**Subject:** [REDACTED]

Hi Steven, would you have the most up to date HOIR on this. It was just brought to my attention that my name was indicated as the investigating manager or appointee.  
It would be best to have your name on it. I was just assisting you with the fact finding.



Could you please have the most up to date HOIR signed by you as investigating manager forwarded to Brian Clements.

Also, I recall that it did go to the OHS committee. They also need to sign.

You can call me or Brian if you need any clarification.

Thanks

Suneela

**From:** Groves, Steven

**Sent:** September-11-17 8:49 AM

**To:** Chopra, Suneela

**Cc:** Masson, Colin

**Subject:** [REDACTED]

Here is the first draft of the HOIR.

Steve

([Steven.Groves@dfo-mpo.gc.ca](mailto:Steven.Groves@dfo-mpo.gc.ca))

(250) 627-3455

**From:** Chopra, Suneela

**Sent:** September-07-17 2:37 PM

**To:** Groves, Steven

**Subject:** [REDACTED]

I will be back in 2 minutes.

**From:** Groves, Steven

**Sent:** September-07-17 2:09 PM

**To:** Chopra, Suneela

**Subject:** [REDACTED]

Sounds good. We will call you

Steve

([Steven.Groves@dfo-mpo.gc.ca](mailto:Steven.Groves@dfo-mpo.gc.ca))

(250) 627-3455

**From:** Chopra, Suneela

**Sent:** September-07-17 1:40 PM

**To:** Groves, Steven

**Subject:** [REDACTED]

Hi Steven, it is okay for 2:30

**From:** Groves, Steven

**Sent:** September-07-17 1:27 PM

**To:** Chopra, Suneela

**Subject:** [REDACTED]

Steve

([Steven.Groves@dfo-mpo.gc.ca](mailto:Steven.Groves@dfo-mpo.gc.ca))

(250) 627-3455

**Pages 110 to / à 111  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**19(1)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

## Meziadin Fishway Health and Safety Plan – 2017

The Department of Fisheries and Oceans (DFO), Nisga'a Fish and Wildlife Department (NFWD) and Gitanyow Fisheries Authority (GFA) are committed to providing a healthy and safe environment for their employees and contractors. To achieve this, we have cooperatively established this occupational health and safety plan designed to prevent injuries and ensure field and camp safety at the Meziadin Fishway. Each individual employer is responsible for providing workers with adequate instruction in health and safety, providing personal life jackets, and for addressing unsafe situations in a timely and effective manner. DFO has final responsibility for the site, and general safety/maintenance requests will be handled through them. All workers are required to read and sign this document prior to starting work, and to know and follow safety guidelines at all times.

### Emergency Contact numbers:

Emergency Services	911
Ambulance	250-636-2676 (NON-emerg)
Fire Department	250-636-9135 (NON-emerg)
Stewart RCMP	250-636-2233
Stewart Doctor's Office	250-636-2614
Stewart Health Centre	250-636-2221
DFO-MPO	New Aiyansh 250-633-2408 / Leyland.klassen@dfo-mpo.gc.ca Terrace 250-615-5350 / Jim.Hansen@dfo-mpo.gc.ca 24 hr Observe, Record Report 1 800 465 4336 / pacradioroomrhq@dfo-mpo.gc.ca
Wildfire Report Line	1-800-663-5555
Meziadin Fishway	Sat phone 8816-414-65565
Meziadin Junction	250-636-2480

### Management / Biologist Contact Numbers and emails:

DFO - Mike Jakubowski:	250-627-3469 (w) Mike.Jakubowski@dfo-mpo.gc.ca
DFO - Barry Finnegan :	250-847-3916(w) 250-616-9194 (c) Barry.Finnegan@dfo-mpo.gc.ca
DFO - <del>Cindy Leighton</del> Dave Peacock :	250-627-34203467 (w) <del>Cindy.Leighton</del> David.Peacock@dfo-mpo.gc.ca
GFA - Mark Cleveland:	250-849-5373 (w) 250 641 3346 (c) gfa99@telus.net
GFA - Derek Kingston	250-849-5373 (w) 250-635-1271 (h) gfa73@telus.net
GFA - Kevin Koch	250-849-5373 (w) 250-842-5915 (h) Kjk.gfa@gmail.com
NFWD/LGL - Nisga'a Fisheries Office	250-633-2617
NFWD – Ed Desson	edwardd@nisgaa.net
LGL – Nass LGL Trailer	250-633-2692
LGL - Richard Alexander:	250-857-5129(c) ralexander@lgl.com
LGL – Cameron Noble:	cnoble@lgl.com
LGL – Cam McCulloch:	250-715-5699(c) cmcculloch@lgl.com

### Camp GPS Coordinates:

56° 01' 25.86 " N; 129° 09' 24.01" W

## **ON-SITE ACTIVITIES**

### **Communications**

Internet is available at the site, and is the primary method of communication.

Satellite phone 011 8816 414 65565 – available for **emergencies**

To Use Satellite phone:

1. Hold down power button until display turns on
2. Acquire signal
3. Hold down 0 until a + appears to unlock phone
4. Dial and make call (prefix 001 eg 001-250-633-2617)
5. Ensure Battery has sufficient charge
6. Power off

In the case of internet service interruption an "OK" spot message or similar message from inReach device can be sent

If all communications fail at camp ensure to make contact with managers via phone at Meziadin junction.

### **Fishway**

All staff must wear a life jacket (PFD) at all times while they are on the fishway. PFDs should be the low profile type that will allow freedom of movement during work on the fishway (these will be provided by each agency for their respective staff member(s)). No work will occur on the fishway unless at least one other person is present in camp. At no time will any member of the public be permitted to access the fishway without prior approval from DFO.

The Main gate may be left unlocked when staff are on site, but the gate should remain closed to discourage the general public from frequenting the site. When no one is in camp, all cabins, the trailer, the fishway gate, and the main gate must be locked.

### **Training**

During employment at Meziadin fishway, all staff members are required to either hold or obtain both a valid WCB Level I First Aid ticket and Swift Water Rescue Training (SRT1). Transportation Endorsement is preferred.

### **First Aid Kits**

A Level 2 First Aid kit is available in the cook shack-trailer, and each employee should make themselves familiar with its contents. If and when a kit is used and requires replacement items, the DFO main contact should be notified so that missing items can be replaced ASAP.

The BC Ambulance Service is available from Stewart, BC and they can be contacted directly using the Satellite phone by calling (250) 636-2676. Please note that they cannot be contacted by calling 911.

All camp staff must share, with other members, any potentially serious medical conditions (eg. allergies, diabetes, etc) and indicate appropriate steps to take should something occur (i.e. where to find an EpiPen, and how to use it).

#### **Bears**

Bears are common in the area, and all staff are required to review the "Bear Aware" material available at <http://www.for.gov.bc.ca/hfd/library/documents/bib22777.htm>. Should a bear come into camp, all staff should remain indoors until the bear is no longer on site. Bear spray will be provided by DFO and should be left in a designated location where it can be easily accessed by all staff members. Ensure that bear spray canisters are not expired. Bear spray also needs to be properly stored. If kept inside it needs to be in a separate, self-contained package so as to reduce exposure to building/truck occupants should it fire off expectantly.

Bear spray should be carried by any staff member leaving camp on foot.

Guns are neither provided, nor permitted on site.

#### **WHMIS**

MSDS sheets are available online. DFO is responsible for the Workplace Hazardous Materials Information System (WHMIS) which ensures that Material Safety Data Sheets (MSDS) are available for all hazardous material (i.e. Bear Spray, Cleaners, etc). It is the responsibility of each staff member to be familiar with relevant MSDS for items used.

A yellow bin in the tool shed is used to store all hazardous materials, and is also the location of all relevant MSDS sheets.

#### **Generator Use and Safety**

The diesel generator located on the Meziadin site is to be serviced every 200 hrs, a record of which is recorded in the generator shed. Servicing the generator is a task to be shared in turn by all staff on site who should become familiar with its operation upon their first shift. An oil change must be performed every service, including the changing of the oil filter. Used oil must be collected in the catch pan and poured into one of the designated used oil pails, while used filters are collected and taken out of camp with the oil. To ensure the right amount of oil is used pour oil from the large pail into the provided jug to the indicated line. Make sure to fill the new filter with oil from the jug, lubricate the gasket, and to not over-tighten when threading it into place. The fuel filter must also be changed as required approximately every 3rd or 4th service. To replace this filter simply close the fuel line going in to the filter with the switch on the line and remove the filter slowly as not to spill the fuel still inside. Once again lubricate the gasket and make sure not to over-tighten when threading on the new filter. Replacement oil and filters can be found in the generator shed or tool shed. The generator must be turned off to perform a service. To avoid large power bumps shut off all outgoing power before shutting off the generator and do not switch it back on until the generator is once again running.

smoothly. Information including which filters were changed, the date, hours on the generator, initials of person(s) performing the service, and any comments must be recorded on the clip board in the generator shed after every service. When filling the fuel tanks the generator does not need to be shut off. A pump to do so is kept under the fuel tanks along with a battery to power it. Fuel should be checked regularly with the dipstick provided. The generator will consume approximately 25 L per day. Fuel is to be purchased by the DFO staff member on site. Transfer of fuel into storage tanks is a task to be shared by all staff on site who should be familiar with this task upon their first shift. Fuel conditioner is available and should be added to diesel in storage tanks as directed on the bottle.

Cleanup is essential after any type of spill, even minor spills, when servicing or fuelling the generator. For minor spills there are absorbent white pads in the generator shed and for major spills there is a spill response kit located there also. In the case of a fire there is a fire extinguisher located in the shed and another near the fire pit.

#### **Fire Prevention and Response**

Fire prevention is the responsibility of all staff on site. All fire bans in the area must be observed. Information on current fire bans can be found at [bcwildfire.ca](http://bcwildfire.ca).

To help prevent the spread of fire: the fire pit area must remain clear of debris (dry leaves, bark and splinters from splitting wood, garbage, etc) at times of use, no fire should be left burning or hot before leaving the site or going to bed, and excessive brush growing up to buildings should be trimmed back. One cabin does have a small woodstove and should only be used by staff knowledgeable in its operation and risks, and should not be left burning while away from camp. Small oil heaters are provided for all cabins and should be kept in the open away from walls, bedding, etc.

DFO will ensure there is at least 3 charged fire extinguishers available on site at all times. They will be kept in the trailer next to the main door, the generator shed, and in the woodshed by the fire pit outside. All fire extinguishers are accompanied by a sign marking their precise location. All staff should be familiar with their location, and method of use. If they are ever used, DFO should be notified ASAP so that they can be replaced. In addition to fire extinguishers 200' of fire hose is available and can be connected to the camp water pump.

In the case of a dangerous fire personal safety for yourself and your co-workers is top priority. If a fire burns beyond your control staff will meet at the top of the driveway above the gate and the Stewart Fire Department must be called.

Forest Fires are a threat to this site. In the case of evacuation due to forest fire, if possible, the fishway should be left open as to not impede migration and all staff will meet at Meziadin junction to ensure safety. From there calls will be made to their respective managers to inform them of the situation. Information on forest fires in the area can be found at [bcwildfire.ca](http://bcwildfire.ca). Any forest fire observed in the area or breaches of fire bans in place should be reported to the wildfire hotline.

### **Drugs and Alcohol**

Any fishway staff member found to be under the influence of drugs and/or alcohol while working will be subject to immediate dismissal from the site and subject to discipline from the agency that they represent. Possession of illicit drugs or other illegal substances in camp will also be considered grounds for dismissal from the site and disciplinary action from the agency that they represent. Fishway staff members removed for any of the above reasons who have undergone disciplinary action from their agency and are considered rehabilitated may return to the site. Policies in regards to Drug and Alcohol use and the disciplinary actions to be taken vary by agency and must be considered along with the above mentioned site rules.

### **Hostile Interactions**

All conflict with external groups or individuals will be avoided if at all possible, and fishway staff will refrain from escalating any situation, ensuring that their own personal safety and the safety of their co-workers is guarded above all else. If necessary, staff actions may even include abandoning the camp (e.g. camp being taken over). If this is the case staff should, if possible, open fishway gates to enable free passage of fish and lock all gates / facilities before leaving the site. All staff will then drive to Meziadin junction to ensure all staff are safely out of camp and to call their respective managers. Any rational decisions made to avoid the escalation of a conflict, will be supported by managers from all partner agencies.

### **OFF SITE ACTIVITIES**

All staff that leave the Meziadin camp for outside activities including, but not limited to: 1) Fishing; 2) Hiking; 3) Mushroom picking; 4) Conducting Angler counts, etc. MUST do the following:

1. Leave a note in a pre-designated location that outlines the following:
  - a. Name, date, time
  - b. Destination, mode of transportation, activity
  - c. Expected time of return to camp

or Inform, in person, a camp member of the above, and;

2. Take a personal satellite tracking device or some other reliable method to communicate with other staff members at the Fishway, and know how to use it

Should someone leave camp for any of the offsite activities described above and not return at the expected time, the following procedure should be taken by other camp members:

1. AFTER 2 HOURS: Inform all managers via email or phone that a staff member has NOT returned.
  - a. Depending on the level of concern, a manager may request that Search and Rescue or RCMP be notified immediately. Any single manager can make this decision.
2. AFTER 4 HOURS: If no higher level response has been initiated, the camp member will automatically call the RCMP and follow their lead.

All Staff leaving Meziadin for **activities in town** (ie. Grocery Shopping), or who are off shift and planning to arrive at site to begin work, will inform other staff in camp verbally, by phone or some other reliable communication system of their expected arrival time in camp.

If they are later than their expected arrival time by more than 4 HOURS, the procedure as described under (1) in the previous section; and after 8 HOURS as described under (2) in the previous section will be followed

#### **NFWD RECREATIONAL FISHING MONITOR**

In 2017, NFWD will be resuming their efforts to monitor recreational fishing catch and effort on the Cranberry and Meziadin Rivers through to mid-August. When space permits, the monitor will spend one or two non-consecutive nights a week on site at the Meziadin camp. A schedule will be provided to Meziadin staff so they can let NFWD know if space is available and to let camp staff know when to expect the monitor's arrival. Should the monitor NOT arrive as expected, the protocol outlined above (1 & 2) should be followed.

#### **Sport Catch Monitor Schedule 2017:**

Date	Crew
Sat July 11	Leonard Squires
Sat July 18	Leonard Squires
Sat July 25	Leonard Squires
Sat August 1	Leonard Squires
Sat August 8	Leonard Squires



## Meziadin Fishway Camp Rules and Instructions

The camp rules listed below have been developed by current and former Meziadin Fishway staff members to ensure good relations and a pleasant working and living environment is maintained at the Fishway. They have been endorsed by each partner agency and should be followed:

1. Keep camp and cook shack cleaner than if it was your own home.
2. Check generator once a day to ensure it is fueled up and maintained. If you see it requires fuel, a service or anything else address the issue ASAP.
3. Check the river water level in water tank on trailer and fill as needed so that the pump remains in good working order. Drinking water (stored in blue jugs) levels should also be checked regularly to ensure you don't run out. Drinking water is available at Meziadin Provincial Park campground and Meziadin Junction.
4. Food is supplied by DFO for all; if you would like something in particular put it on the list for subsequent orders.
5. If you find something broken fix it if you can, if not let someone know about it.
6. Clean up after you make something to eat. If someone makes a meal for all that person should not have to do the dishes as well. At the end of the day before bed all dishes and pots and pans should be cleaned and put away.
7. Sometimes dinner is late depending on the count time, to avoid issues for your co-workers let the person who is going to cook supper know that day and plan ahead as most food is frozen.
8. Garbage dump is open on Sunday and Monday so plan accordingly for a dump run each week. This will keep the bears away. Burn what can be burned but do not burn food.
9. If we are out of something put it on a list.
10. If you leave camp unattended make sure all is locked up, this includes the fishway, trailer, generator shed and all cabins.
11. If you see expired food or something bad in the fridge or on a shelf throw it out.
12. Check propane tanks on Cook shack trailer for refill.
13. Check level on genset diesel tank for refill.
14. Oil and filter change on generator is every two hundred hours. There is a book to record when you do the changes.

Commented [CM1]: Changes?

Commented [CM2]: What will the propane setup be for the cook shack?

All Undersigned Have Read and Commit to Adhere to The Meziadin Fishway Health and Safety Plan and to the Camp Rules and Instructions Listed Above (Note, this document must be signed both by fishway staff and all overnight visitors).

Name	Date	Signature

## **Emergency Contact List for Meziadin Staff**

### **NFWD Employee Name**

Emergency Contact-

Email-

Home-

### **DFO Employee 1**

Emergency Contact –

Email –

Home –

### **DFO Employee 2**

Emergency Contact-

Email-

Home-

### **Brenton Williams**

Emergency Contact –

Email -

Home Phone - 250-849-5259

### **Johnny Martin**

Emergency Contact –

Email -

Home Phone – 250-849-8471

### **Casey Braam**

Emergency Contact - Erin Braam

Email - Erin.Braam@gov.bc.ca, erinebraam@gmail.com

Home – 250-635-1219

Work – 250-615-4880

Cell – 250-641-2979

# FISHERIES AND OCEANS CANADA

## HAZARDOUS OCCURRENCE INVESTIGATION REPORT

(revised February 8, 2001)

To be filled out by the responsible manager with assistance from the OSH Committee member or OSH Representative. Return to Safety and Health Unit, Corporate Resources. Please **print**.

**A. TYPE OF OCCURRENCE**

Explosion _____ Fire _____ Property Damage _____ Motor Vehicle _____ Environmental/ _____ Chemical Hazard _____ Equipment Malfunction _____ Pressure Vessel _____	Fatality _____ Disabling Injury/time loss _____ Loss of Consciousness _____ Emergency Procedure <u>  x  </u> Visit to Doctor (no time loss) _____ First Aid Only _____ No Injury (near miss) _____ Other _____ Violence _____
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**NOTE:** Consult the DFO Hazardous Occurrence Investigation and Reporting Procedures for reporting time frame and copy distribution requirement to central agencies.

**B. GENERAL INFORMATION**

Branch Science	Location Prince Rupert	Date of Report Sept 8 2017
Mailing Address 202 417 2 <sup>nd</sup> Ave west V8J1G8		Area/Program  Meziadin Fishway
Postal Code: _____		
Responsible Supervisor's Name Mike Jakubowski	Supervisor's Telephone # 250 627 3469	

**C. EMPLOYEE DATA (if applicable)**

Employee's Surname	Given Name	Initials

**D. ACCIDENT INFORMATION**

Accident Location Incident occurred at the Meziadin Fishway	Date and time of Incident Wed July 19 at 930	Number of hours on shift on this day before this Incident: 1.5hrs
Weather conditions at the time of the occurrence: Unknown		
Description of Injury:  Violence at the workplace		
Was training in accident prevention given to the injured employee in relation to duties performed at the time of the hazardous occurrence? Yes <u>  x  </u> No _____ Specify:  All employees are made aware that they have the right to work in a safe and harassment free environment.  I've included a copy of the safety plan that was gone through at the beginning of the year. Staff at Meziadin also have a daily meeting to discuss hazards for the day and I've included one of those		

**E. INVESTIGATION OF OCCURRENCE**

Description of what happened (please attach additional sheets if necessary)
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See Attachment 1 as well.

**F. IMMEDIATE CAUSES**

In this section please identify substandard practices and/or substandard conditions if any:

**G. BASIC CAUSES**

In this section please identify personal, environmental and/or job/system factors:

- Three different groups with three different supervisors in a field camp
- people are in close contact with each other 24 hrs a day and 7 days a week
- No identified supervisor
- Hot working conditions

**H. WITNESSES** (if more please attach information)

Witness #1 - Name	Telephone #2506273459:	Witness #2 - Name	Telephone #
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Witness #3 - Name	Telephone #:	Witness #4 - Name	Telephone #:
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s.19(1)

### I. CORRECTIVE & PREVENTIVE MEASURES

#### Corrective measures taken and/or recommended to prevent recurrence

I recommend that all agencies, first nation groups and contractors that are to spend more than a couple hours working in a DFO field camp be given the same security screening we require from our own staff.

I recommend a vehicle should be available for DFO staff in field camps if they need to evacuate. We had our government vehicle taken as part of fleet reduction and since have had staff use their own vehicles. Some of their vehicles are not that reliable.

Possibly have more staff available so workers in field camps aren't in for weeks at a time.

Possibly have a minimum of 3 at a time in field camps.

I've included a copy of the safety plan that was gone through at the beginning of the year. Staff at Meziadin also have a daily meeting to discuss hazards for the day and I've included one of those

Better communication equipment or planned communication with the supervisor

Protocols on what to do if....

Emergency number for 24hr a day assistance: how to dial 911

Increased health, safety and security training

Safe places on site: i.e. locked cabins

Not there is any indication for this incident, but ensure drugs and alcohol are not consumed or used responsibly

### J. SUPPLEMENTARY PREVENTATIVE MEASURES

Responsibility for corrective action assigned to:	Date to be completed	Follow-up date
Mike Jakubowski	May 2018	May 2018

### K. PROPERTY DAMAGE

Nature & extent of property damage	Estimated Loss (\$)
None	

### L. INVESTIGATION DONE BY

Name of Manager or Manager Appointee	Telephone #	Signature
Steven Groves	250 627 3455	Steven Groves
Manager's comment:		

<b>Name of OSH Committee Member / OSH Representative</b> Jill MacNeill	<b>Telephone #</b> 250 627 3433	<b>Signature</b>
<b>OSH Committee Member / Representative comment</b>		